IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA	0.0700.444	
	Plaintiff,) 8:07CR444)	
	VS.) DETENTION ORDER	
DE	ANNA "DEE" DENNIS,)	
	Defendant.	,	
A.	A. <u>Order For Detention</u> After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on January 16, 2008, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).		
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 		
C.	The Court's findings are based on the evidence which was presented in court and that which was contained in the Pretrial Services Report, and includes the following: X (1) Nature and circumstances of the offense charged: X (a) The crime: conspiracy to distribute and possess with intent to distribute "crack" cocaine (Count I) in violation of 21 U.S.C. § 846 and the possession with intent to distribute "crack" cocaine (Count II) in violation of 21 U.S.C. § 841(a)(1) both carry a minimum sentence of five years imprisonment and a maximum of forty years imprisonment; the possession of a firearm by a convicted felon (Count III) in violation of 18 U.S.C. § 922(g) carries a maximum sentence of ten years imprisonment. (b) The offense is a crime of violence. (c) The offense involves a narcotic drug. (d) The offense involves a large amount of controlled substances, to wit: (2) The weight of the evidence against the defendant is high. X (3) The history and characteristics of the defendant including: (a) General Factors: The defendant appears to have a mental condition which may affect whether the defendant will appear. The defendant has no family ties in the area. X The defendant has no substantial financial resources. The defendant is not a long time resident of the community. The defendant does not have any significant community ties. Past conduct of the defendant: X The defendant has a history relating to drug abuse. X The defendant has a history relating to drug abuse. X The defendant has a significant prior criminal record.		

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		X The defendant has a prior record of failure to appear at
	(b)	court proceedings. At the time of the current arrest, the defendant was on:
	(D)	Probation
		Parole
		Release pending trial, sentence, appeal or completion of
		sentence.
	(c)	Other Factors:
	. ,	The defendant is an illegal alien and is subject to
		deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
		The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal.
		Other:
X	releas	nature and seriousness of the danger posed by the defendant's se are as follows: the nature of the charges in the Indictment, the dant's criminal history, and the defendant's substance abuse history.
X		ttable Presumptions
		ermining that the defendant should be detained, the Court also relied
	on the	following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) the Court finds the defendant has not rebutted:
		That no condition or combination of conditions will reasonably
	<u>X</u> (a)	assure the appearance of the defendant as required and the safety
		of any other person and the community because the Court finds that
		the crime involves:
		(1) A crime of violence; or
		(2) An offense for which the maximum penalty is life
		imprisonment or death; or
		X (3) A controlled substance violation which has a maximum
		penalty of 10 years or more; or
		(4) A felony after the defendant had been convicted of two
		or more prior offenses described in (1) through (3)
		above, <u>and</u> the defendant has a prior conviction for one
		of the crimes mentioned in (1) through (3) above which
		is less than five years old and which was committed
	V (L)	while the defendant was on pretrial release.
	<u>X</u> (b)	That no condition or combination of conditions will reasonably
		assure the appearance of the defendant as required and the safety
		of the community because the Court finds that there is probable cause to believe:
		X (1) That the defendant has committed a controlled
		substance violation which has a maximum penalty of
		10 years or more.
		(2) That the defendant has committed an offense under 18
		U.S.C. § 924(c) (uses or carries a firearm during and in
		relation to any crime of violence, including a crime of
		violence, which provides for an enhanced punishment
		if committed by the use of a deadly or dangerous
		weapon or device).

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D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: January 16, 2008. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge